

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Monday, May 24, 2010

County Commissioners' Chambers
200 East Main Street, Durham, North Carolina

AGENDA

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.
 - "In Touch with Durham County," the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon daily; 4:00 p.m. on Mondays; and 6:30 p.m. Tuesday-Sundays. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
 - Tomorrow, May 25th, the Durham City-County Planning Department will host an "Open House" to discuss the land use plan for the area along the Fayetteville Street corridor, south of the Durham Freeway, and the area surrounding North Carolina Central University. The meeting will be held from 6pm until 8pm at the Hayti Heritage Center on 804 Old Fayetteville Street. For more information contact, Aaron Cain, senior planner at 560-4137, ext. 28226.
4. **Minutes** 5 min.
 - a. May 3, 2010 Worksession
 - b. May 10, 2010 Regular Session

5. **Presentation of the NC Envirothon Winning Team**

10 min.

The Durham Soil and Water Conservation District asks that the Durham County Board of Commissioners recognize the 'Vicious Vipers,' a Durham County home school team, for their outstanding dedication and achievement at the NC Envirothon competition on April 23-24, 2010. The 'Vicious Vipers' placed 1st in the high school division, beating out 48 other teams from across the state. The Envirothon is a hands-on team competition that tests student's knowledge of the environment and natural resources. The 'Vicious Vipers' will be representing North Carolina in this summer's North American Canon Envirothon event in Fresno, California.

Resource Person(s): Jennifer Brooks, Soil Conservationist/Education Specialist, Durham SWCD; Eddie Culberson, Director of Soil and Water Conservation District

County Manager's Recommendation: The County Manager recommends that the Board recognize the 'Vicious Vipers' achievement for winning the NC Envirothon and representing NC at the North American Canon Envirothon this summer.

6. **County Manager's Recommended Budget Presentation**

45 min.

Durham County Manager Michael M. Ruffin will formally present the Recommended Budget for FY2010-2011 to the Board of County Commissioners. This is in accordance with N.C.G.S. 159-12 of The Local Government Budget & Fiscal Control Act.

Resource Person(s): County Manager Michael M. Ruffin

County Manager's Recommendation: The Manager recommends that the Board receive the presentation of the FY2010-2011 Recommended Budget.

7. **Consent Agenda**

20 min.

- a. Approve the Interlocal Cooperation Agreement for Inspections between the City and County which is up for renewal. The City and County Managers' and Attorneys' Offices made minor technical changes to the current Agreement, but the Agreement is in substance the same as the current Agreement;
- b. Receive and accept the City-County Planning Commission Annual Report for 2009;
- c. Accept the property tax release and refund report for April 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- d. Amend the contract with Turner Business Appraisers for property value discoveries and approve Budget Ordinance Amendment No.10BCC000080 in the amount of \$172,000. Payment is made to TBA only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;

- e. Amend the contract with Tax Management Associates Inc. for property value discoveries and approve Budget Ordinance Amendment No.10BCC000081 in the amount of \$440,000.00. Payment is made to TMA only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- f. Amend the contract with Evans & Associates Consulting Group for property value discoveries and approve Budget Ordinance Amendment No. 10BCC000082 in the amount of \$40,000. Payment is made to EACG only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- g. Amend the contract with County Tax Services for property value discoveries and approve Budget Ordinance Amendment No. 10BCC000083 in the amount of \$246,000. Payment is made to CTSI only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- h. Approve Budget Ordinance Amendment No.10BCC000084 to accept the \$16,311 grant from Reading Is Fundamental for the library's literacy services;
- i. Authorize the County Manager to enter into a service contract with Southern Elevator Company, Inc. in an amount not to exceed \$72,218.52;
- j. Approve the financing for vehicle and equipment replacement with Wells Fargo Bank, N. A. and authorize the Manager to execute the appropriate documents to close the transaction;
- k. Approve the dedication of a 20' private storm drain easement and agreement for the benefit of Doctors Fleming, Harrell and Moore, and authorize the Manager to execute the easement agreement and Plat.

8. **Durham Public Schools – Six State Lottery Funds Applications for Durham Public Schools Capital Projects**

10 min.

The North Carolina Education Lottery provides funds for Durham Public Schools based on lottery revenue. The Board of Education has approved six (6) applications for high priority projects at existing facilities totaling \$1,252,000.

Location	Project	Estimated Value
Hillside High School	Asphalt Repairs	\$188,000
Fayetteville Street Elementary	Gym Roof Replacement	\$145,000
Southern High School	Asphalt Repairs	\$148,000
Durham School of the Arts	Track Resurfacing	\$325,000
Jordan High School	Asphalt Repairs	\$207,000
Riverside High School	HVAC Controls Upgrade	\$239,000
	Totals	\$1,252,000

The Durham County Board of County Commissioners is requested to approve these applications for appropriation of Lottery funds to the projects listed above, and to allow the Chairman of the Board of County Commissioners, Michael D. Page, to sign the six applications on behalf of the Board of County Commissioners.

Resource Person(s): Tim Carr, Program Director for Durham Public Schools

County Manager's Recommendation: The County Manager recommends that the Board approve six applications for use of Lottery funds by the Durham Public Schools Board of Education for various Durham Public School capital projects, and the signing of these applications by the Chairman of the Board of County Commissioners, Michael D. Page, on behalf of the Board of County Commissioners. Once the funds are approved by the State for these projects, Durham Public Schools will ask the Board of County Commissioners to appropriate the funds to the capital projects.

9. **Board and Commission Appointments**

10 min.

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- City-County Appearance Commission
- Criminal Justice Partnership Act Advisory Board
- Durham County Hospital Corporation
- Memorial Stadium Authority
- Nursing Home Community Advisory Committee
- Workforce Development Board

Resource Person(s): Michelle Parker-Evans, Clerk to the Board

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

1 hr. 55 min.



5

COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Presentation of the NC Envirothon winning team, the 'Vicious Vipers' from Durham, NC

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

The Durham Soil and Water Conservation District ask that the Durham County Board of Commissioners recognize the 'Vicious Vipers,' a Durham County homeschool team, for their outstanding dedication and achievement at the NC Envirothon competition on April 23-24, 2010. The 'Vicious Vipers' placed 1st in the high school division, beating out 48 other teams from across the state. The Envirothon is a hands-on team competition that test student's knowledge of the environment and natural resources. The 'Vicious Vipers' will be representing North Carolina in this summer's North American Canon Envirothon event in Fresno, California.

RESOURCE PERSON(S): Jennifer Brooks, Soil Conservationist/Education Specialist, Durham SWCD; Eddie Culberson, Director of Soil and Water Conservation District

COUNTY MANAGER'S RECOMMENDATION: The County Manger recommends that the BOCC recognizes the 'Vicious Vipers' achievement for winning the NC Envirothon and representing NC at the North American Canon Envirothon this summer.

County Manager: _____

Richard M. Reppin

- () Approved
() Denied

	Motion	Yes	No
Page	_____	_____	_____
Reckhow	_____	_____	_____
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____



6

COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: FY2010-2011 Recommended Budget

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

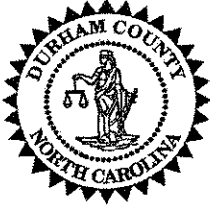
Durham County Manager Michael M. Ruffin will formally present the Recommended Budget for FY2010-2011 to the Board of County Commissioners. This is in accordance with N.C.G.S. 159-12 of The Local Government Budget & Fiscal Control Act.

RESOURCE PERSONS: County Manager Michael M. Ruffin

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board receive the presentation of the FY2010-2011 Recommended Budget.

County Manager: Michael M. Ruffin

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



7a

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Durham City-County Interlocal Cooperation Agreement for Inspections

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

The Interlocal Cooperation Agreement for Inspections between the City and County is due for re-adoption. The City and County Managers' and Attorneys' Offices made minor technical changes to the current Agreement, but the Agreement is in substance the same as the current Agreement.

RESOURCE PERSONS: William E. (Gene) Bradham, Durham City-County Inspections Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Commissioners approve the revised Interlocal Cooperation Agreement for Inspections and authorize the Manager to execute the Agreement.

County Manager: _____

William E. Bradham

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



DURHAM CITY-COUNTY INSPECTIONS DEPARTMENT
101 CITY HALL PLAZA | DURHAM, NC 27701
919.560.4144 | F 919.560.4484

www.durhamnc.gov



April 8, 2010

To: Michael M. Ruffin, County Manager

Through: Wendell Davis, Deputy County Manager

From: William E. (Gene) Bradham, Durham City-County Inspections Director

Subject: Durham City-County Interlocal Cooperation Agreement for Inspections

Executive Summary: The Interlocal Cooperation Agreement for the City-County Inspections Department was originally adopted in June of 1993, and the basic Agreement has been extended, through new agreements, at periodic intervals since that time. The term of the current Agreement ends June 30, 2010. The Agreement presented for adoption will extend the joint operation of the Inspections Department to June 30, 2015. The City and County Managers' and Attorneys' offices made minor technical changes to the current Agreement, but the Agreement is in substance the same as the current Agreement.

Recommendation: Staff recommends that the County Manager be authorized to execute the Interlocal Cooperation Agreement.

Background: The City-County Interlocal Cooperation Agreement for the Inspections Department was originally adopted in June of 1993, as a component of the merger of the City's and County's Inspections Departments. This Agreement was the implementation mechanism for the merged Department. The City-County Inspections Department generally ensures compliance with the NC State Building Code as well as certain aspects of the City/County Unified Development Ordinance. Consistency in enforcement between the jurisdictions has been a benefit of the Agreement, as well as the cost savings that are achieved from consolidation of virtually identical functions in one department. Most Inspections activities occur in the City, and since merger, the Department has been housed in the City.

During the most recent review of the Agreement by the City Manager's Office, the City Attorney's Office, the County Manager's Office, and the County Attorney's Office, some minor technical revisions were mutually agreed upon. The recommended revisions are technical and do not change the substantive provisions of the Agreement.

The essential, substantive provisions of the Agreement, as they have been modified over the years, provide that: 1) the City-County Inspections Department is funded by fees collected by the Department; 2) the Director is selected jointly by the City and County Managers and is subject to

annual joint review; 3) Departmental employees are City employees; 4) legal services are provided by the jurisdiction from whom the matter in dispute arises; and 5) termination may occur if there is a default of certain obligations, and otherwise may occur only at the beginning of each fiscal year, upon either jurisdiction's giving notice by March 31st prior to the beginning of the next fiscal year.

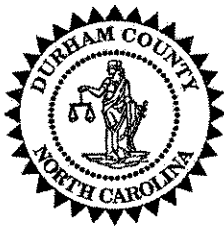
The Agreement is being brought forward for adoption by the Board. The City Council reviewed the Agreement on May 17, 2010. A final copy of the recommended Agreement is attached to this memorandum.

Issues/Analysis: Only minor technical changes were made by the City and County Attorneys' Offices. The agreement is in substance the same as the current Agreement. Failure to adopt the Agreement could result in the dissolution of joint inspection services.

Alternatives: The Board could decline to approve the Agreement or make additional changes to the Agreement.

Staff Contact: William E. (Gene) Bradham; gene.bradham@durhamnc.gov; 560-4145.

Attachments: Interlocal Cooperation Agreement for Inspections.



**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COMMISSIONERS
Agenda Action Form**

ITEM: 2009 Annual Report for the City-County Planning Commission

DATE OF BOC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

To receive and accept the City-County Planning Commission Annual Report for 2009

RESOURCE PERSON(S): Don Moffitt, Chair, City-County Planning Commission

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board accept the City-County Planning Commission Annual Report for 2009.

County Manager: *Richard M. Reppin*

		Motion	Yes	No
() Approved	Bowser	_____	_____	_____
() Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____

**Durham City-County Planning Commission
2009 Annual Report**

March 3, 2010

To: Board of County Commissioners and City Council

From: Don Moffitt, Chair, Durham City-County Planning Commission

The Durham City-County Planning Commission ("Commission") takes its responsibilities seriously, carefully reviewing applications and thoughtfully considering the recommendations made to both the Board of County Commissioners and City Council ("Governing Bodies"). We do so in the knowledge that the members of the Governing Bodies have widespread responsibilities and many topics to consider, and we do so with a commitment to provide the members of the Governing Bodies with thorough, concise information and informed recommendations.

Cases heard

In 2009 the Commission heard 34 cases in public hearings. Twenty-one of the cases were solely in the City's jurisdiction, four were solely in the County's jurisdiction and nine were in both jurisdictions. (See Table 2)

Seven of these were related to the Durham Comprehensive Plan (six requested changes to the FLUM and the Annual E&A Report). Eighteen of the cases were requests for changes to specific use zones ("re-zonings"). Eight cases were for text amendments to the Unified Development Ordinance, and one case was for the Central Durham Gateway Plan.

Changes over time

During the nearly six years that I have served on the Commission, I have seen the quality of the proposed development plans improve significantly. As the Governing Bodies gave more weight to the recommendations of the Commission, the applicants sought the Commission's recommendation of approval more aggressively, proffering more committed elements to address concerns of the Commission. One result of this virtuous cycle is that with better development plans, the Commission frequently recommended approval to the Governing Bodies in 2009.

Concurrence

In 30 cases (of 34 heard) the Commission recommended approval. Four times we recommended that an application be denied. The Governing Bodies approved each case forwarded to them, except for one case which was withdrawn by the applicant.

As a result, there were only three cases when the Governing Bodies did not concur with the Commission during the year, for a concurrence rate of 91%. By jurisdiction, City Council

concurrent with the Commission in 28 of 29 (97%) of cases and the Board of County Commissioners concurrent in 10 of 12 (83%) of cases. (See Table 2)

Continuations

For six cases in 2009 the Commission continued the case for one or more cycles (one cycle is approximately 30 days) because of issues raised by Commission members.

From time to time complaints are raised that the approval process in Durham takes too long. It is not uncommon for a finger to be pointed at the Planning Commission for continuing cases.

Cases may be continued for a variety of reasons. The applicant and any citizen may request a one cycle (approximately 30 day) continuation that is granted automatically under the UDO. In addition the Commission may continue a case for up to three cycles before having to make a recommendation to the Governing Bodies.

The packet for any given Commission meeting is finalized shortly after the prior meeting. Staff usually requests that any continuation be for at least two cycles in order to give them time to carefully review any new submittals.

The Commission has shown a willingness to continue a case for a variety of reasons, usually because of a request by staff, citizens and/or the applicant. Usually a continuation is agreed upon by the applicant in advance of the meeting, and in those cases it is typically approved by the Commission after opening the public hearing but without taking testimony, allowing affected parties to leave early in the evening. As an example, staff may initially recommend denial and the applicant requests a continuation in order to work out remaining issues with staff, in the hopes of having their recommendation changed to approval prior to the Commission hearing the case.

Frequently a continuation by the Commission results in an applicant proffering committed elements that satisfy the concerns of opponents before the case is forwarded to the Governing Bodies for consideration—thus reducing the time and energy you must spend on those cases.

It is worth noting that for 23 cases, a recommendation was forwarded to the Governing Bodies on the night the case was first heard. In six, as noted above, the Commission continued the case in order to gather more information or to allow interested parties time to come to agreement. In the remaining five cases the continuation was granted after a request from staff, the applicant and/or opponents.

Membership and Attendance

The Commission comprises a diverse group of citizens when considering race, gender and life experience. Members of the Commission have proven themselves to be engaged in the work. They come to meetings prepared, and ask thoughtful questions during consideration of

the case. Applicants, proponents and opponents are all treated with equal fairness and respect.

Sixteen citizens served on the Commission in 2009, ten of whom served for the entire calendar year. Two members left after the end of their second term and two members resigned during the year for personal reasons. Two new members were appointed by the Governing Bodies. As of this writing there are 13 members of the Commission. Four (31%) are white males, four (31%) are black males, four (31%) are white females and one (8%) is a black female. By comparison Durham County population was estimated in 2008 to comprise roughly 20% of each of those demographic groups, with the remainder of the population comprising Hispanics (12%) and Asians (4%) (US Census Bureau).

Participation in Commission meetings is strong. Collectively members attended meetings 94% of the time. Eight members participated in every meeting while they were on the board. Five of them served the entire year and participated in every meeting (George Brine, Wendy Jacobs, Jarvis Martin, Robert Womack and myself). Seven members missed one meeting, and one member missed two meetings. (See Table 1)

Conclusion

Take pride in the dedicated work of your appointees to the Commission! Our goals are to render impartial, thoughtful and thorough recommendations to the Governing Bodies, to provide you with timely and complete information and to simplify your task by working to bring the applicant, proponents and opponents together in agreement before forwarding a case on to you.

Table 1: Planning Commission Attendance 2009

Member	Jurisdiction	Meetings for this Member	Meetings Present	Attendance Percentage
Barbara Beechwood	CI	5	4	80%
Benjamin Greene	CI	7	7	100%
Corinne Mabry	CI	6	5	83%
Don Moffitt	CI	11	11	100%
Harry Monds	CI	11	10	91%
I. Jarvis Martin	CI	11	11	100%
Jarroed Edens	CI	11	10	91%
Tanya Mitchell-Allen	CI	11	9	82%
Member	Jurisdiction	Meetings for this Member	Meetings Present	Attendance Percentage
Deborah Giles	Co	6	6	100%
Frederick Davis, II	Co	5	5	100%
George Brine	Co	11	11	100%
Jackie Brown	Co	11	10	91%
LaDawnna Summers	Co	10	9	90%
Linda Smith	Co	11	10	91%
Robert Womack	Co	11	11	100%
Wendy Jacobs	Co	11	11	100%

11 meetings in 2009

Italics - No longer a member as of December 31, 2009

P = Present A = Absent E = Excused Absence

Table 2: Planning Commission Cases 2009

						City Council		County Commissioners		Continuations	
Number	Name	Tier	Jurisdiction	Staff Rec	Plan Comm Rec	Decision	Concurrence w/ Plan Comm	Decision	Concurrence w/ Plan Comm	Cycles Continued	Reason
A0800006	Alex. Village, Ph. II	Sub	Ci	A	A	A	Y			-	
A0900001	Ninth St. CN Amend	C. Neigh	Ci	A	A	A	Y			-	
A0900004	Jordan Lake Critical	R & Sub	Co	A	D			A	N	2	Citizen Request
A0900002	O'Reilly Auto Parts	Sub, ST	Ci	A	A	A	Y			2	Plan Comm
A0900005	Annual E&A Report	---	Both	A	A	A	Y	A	Y	-	
A0900003	Hope V Farms BB	Sub	Ci	A	A	A	Y			-	
A0900007	Downtown Zoning	Dtown	Ci	A	A	A	Y			-	

Z05-18	Brightleaf Commons	Sub	Ci	A	D	A	N			1	Applicant/Staff
Z07-45	Ninth Street North	C. Neigh	Ci	A	A	A	Y			1	Applicant/Staff
Z0800033	Reconciliation UMC	Sub	Ci	A	A	A	Y			-	
Z0900001	Hope Valley Fr, Rev.	Sub	Ci	A	A	A	Y			1	Plan Comm
Z0800036	Alex. Village, Ph. II	Sub	Ci	A	A	A	Y			-	
Z07-41	5622 Grandale Dr.	Sub	Co	A	A			A	Y	3	Administrative, PC
Z0800038	Northgate Hotel	Urban	Ci	A	A	A	Y			-	
Z0800037	DLT, LLC 2	Sub	Ci	A	A	A	Y			-	
Z0900003	Wilson Property	Sub	Co	A	A			A	Y	-	
Z0900009	Jordan Lake Critical	R & Sub	Co	A	D			A	N	2	Administrative, PC
Z0900005	4606 D-CH Boulev.	Sub	Ci	A	A	A	Y			-	
Z0900006	Mentock Fam. Pract.	Sub	Ci	A	A	A	Y			-	
Z0900008	Technology Park	Sub	Ci	A	A	A	Y			-	
Z0900004	O'Reilly Auto Parts	Sub, ST	Ci	A	A	A	Y			2	Plan Comm
Z0800032	Simko Property	Sub	Ci	A	A	A	Y			-	
Z0800033	New Comm. Facility	Sub	Ci	A	D	WD				2	Plan Comm
Z0900007	Hope V Farms BB	Sub	Ci	A	A	A	Y			-	
Z0900016	Downtown Zoning	Dtown	Ci	A	A	A	Y			-	

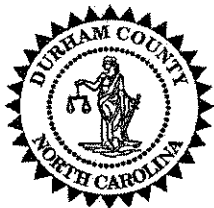
TC07-15	Hotel Location	Both	A	A	A	Y	A	Y	3	Ad error, citizen request, staff
TC07-10	Development Plans	Both	A	A	A	Y	A	Y	2	Staff
TC0900001	Outdoor Recreation	Both	A	A	A	Y	A	Y	-	
TC0900003	Tech Changes V	Both	A	A	A	Y	A	Y	-	
TC0900004	CN Parking	Both	A	A	A	Y	A	Y	-	
TC0900006	Hist Ldmk Criteria	Both	A	A	A	Y	A	Y	-	
TC0900007	S & E Control	Both	A	A	A	Y	A	Y	-	
TC07-01	Downtown Zoning	Both	A	A	A	Y	1		-	

Cent. Durham Gtwy	Ci	A	A	A	Y		-
-------------------	----	---	---	---	---	--	---

Cases

34 29 28 12 10

A Approve, D Deny, Y Yes, N No, WD Withdrawn



7c

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Property Tax Releases and Refunds for Fiscal Year 2009-2010

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the attached report details releases and refunds for the month of April 2010.

Releases & Refunds for 2010 Taxes:

Personal	\$100,901.68
Motor Vehicles	\$ 67.51
Total for 2010 Taxes and Fees	\$100,969.19

Releases & Refunds for 2009 Taxes:

Real	\$ 13,852.69
Personal	\$ 18,820.74
Motor Vehicles	\$ 25,204.60
Motor Vehicle Fees	\$ 865.00
Total for 2009 Taxes and Fees	\$ 58,743.03

Prior years' (2006-2008) releases and refunds for April 2010 are in the amount of \$3,488.10. The total current year and prior years' releases and refunds amount to \$163,200.32.

RESOURCE PERSON(S): Kimberly H. Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager's recommendation is that the Board accept the property tax release and refund report for April 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

County Manager: _____

Richard M. Reppin

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Howerton	_____	_____	_____
Heron	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



7d

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 10BCC000080 – Turner Business Appraisers Contract Amendment in the amount of \$172,000.

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

Turner Business Appraisers (TBA) is a business personal property audit firm that began contracting with Durham County in approximately 2005. Their fee is based on 30% of the total revenue discovered by the audit and is paid at the time the tax bill is paid to us. Therefore, some of the audits are completed several months before the tax bill is actually due and/or paid.

As of July 1, 2009, Turner Business Appraisers (TBA) has discovered \$3,085,003.44 dollars in tax revenues for County, City, and Fire Districts. The amount already collected exceeds the contract and there is other expected revenue still to be collected on audits already completed for TBA. In addition, there are audits in progress that have not been completed at this time. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

The Tax Office requests approval to amend the current contract with TBA for an additional \$172,000; for a total not to exceed \$965,250.

RESOURCE PERSON(S): Kimberly Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board of County Commissioners amend the contract with Turner Business Appraisers for property value discoveries and approve Budget Ordinance Amendment No.10BCC000080 in the amount of \$172,000. Payment is made to TBA only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

County Manager: _____

Richard M. Reppin

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2009-2010 Budget Ordinance

Amendment Number 10BCC000080

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2009-2010 budget ordinance is hereby amended to reflect budget adjustments.

Revenue

Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Taxes	\$238,986,950	\$172,000	\$239,158,950

Expenditures

Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
General Government	\$67,176,482	\$172,000	\$67,348,482

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved May 24, 2010



7e

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 10BCC000081 – Tax Management Associates, Inc Contract Amendment

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

Tax Management Associates, Inc (TMA) is a business personal property audit firm that began contracting with Durham County in approximately 1996. Their fee is based on 30% of the total revenue discovered by the audit and is paid at the time the tax bill is paid to us. Therefore, some of the audits are completed several months before the tax bill is actually due and/or paid.

TMA was granted a contract in the amount of \$150,000.00 for FY 09-10. As of July 1, 2009, they have discovered \$1,709,781.10 dollars in tax revenues for County, City, and Fire Districts. The amount already collected exceeds the contract and there is other expected revenue still to be collected on audits already completed for TMA. In addition, there are audits in progress that have not been completed at this time. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

The Tax Office requests approval to amend the current contract with TMA for an additional \$440,000.00; for a total not to exceed \$780,000.00

RESOURCE PERSON(S): Kimberly Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board of County Commissioners amend the contract with Tax Management Associates Inc. for property value discoveries and approve Budget Ordinance Amendment No.10BCC000081 in the amount of \$440,000.00. Payment is made to TMA only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

County Manager: _____

Richard M. Rappin

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2009-2010 Budget Ordinance

Amendment Number 10BCC000081

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2009-2010 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Taxes	\$239,158,950	\$440,000	\$239,598,950

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
General Government	\$67,348,482	\$440,000	\$67,788,482

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved May 24, 2010



7f

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 10BCC000082 – Evans & Associates Consulting Group Contract Amendment in the amount of \$40,000.

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

Evans & Associates Consulting Group (EACG) is a business personal property audit firm that began contracting with Durham County in approximately 2007. Their fee is based on 30% of the total revenue discovered by the audit and is paid at the time the tax bill is paid to us. Therefore, some of the audits are completed several months before the tax bill is actually due and/or paid.

As of July 1, 2009, Evans & Associates Consulting Group (EACG) has discovered \$235,177.22 dollars in tax revenues for County, City, and Fire Districts. The amount already collected exceeds the contract and there is other expected revenue still to be collected on audits already completed for EACG. In addition, there are audits in progress that have not been completed at this time. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

The Tax Office requests approval to amend the current contract with EACG for an additional \$40,000; for a total not to exceed \$105,000.

RESOURCE PERSON(S): Kimberly Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board of County Commissioners amend the contract with Evans & Associates Consulting Group for property value discoveries and approve Budget Ordinance Amendment No. 10BCC000082 in the amount of \$40,000. Payment is made to EACG only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

County Manager: *Richard M. Rappin*

	Motion	Yes	No
() Approved	Bowser	_____	_____
() Denied	Heron	_____	_____
	Howerton	_____	_____
	Page	_____	_____
	Reckhow	_____	_____

Durham County, North Carolina

2009-2010 Budget Ordinance

Amendment Number 10BCC000082

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2009-2010 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Taxes	\$239,598,950	\$40,000	\$239,638,950

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
General Government	\$67,788,482	\$40,000	\$67,828,482

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved May 24, 2010



79

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

**ITEM: Budget Ordinance Amendment No. 10BCC000083 – County Tax Service, Inc.-
Contract Amendment in the amount of \$246,000.**

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

County Tax Service, Inc. (CTSI) is a business personal property audit firm that began contracting with Durham County in approximately 2004. Their fee is based on 30% of the total revenue discovered by the audit and is paid at the time the tax bill is paid to us. Therefore, some of the audits are completed several months before the tax bill is actually due and/or paid.

As of July 1, 2009, County Tax Service, Inc. (CTSI) has discovered \$1,375,699.81 dollars in tax revenues for County, City, and Fire Districts. The amount already collected exceeds the contract and there is other expected revenue still to be collected on audits already completed for CTSI. In addition, there are audits in progress that have not been completed at this time. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

The Tax Office requests approval to amend the current contract with CTSI for an additional \$246,000; for a total not to exceed \$789,250.

RESOURCE PERSON(S): Kimberly Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board of County Commissioners amend the contract with County Tax Services for property value discoveries and approve Budget Ordinance Amendment No. 10BCC000083 in the amount of \$246,000. Payment is made to CTSI only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected.

County Manager: Richard M. Reppin

	Motion	Yes	No
() Approved	Bowser	_____	_____
() Denied	Heron	_____	_____
	Howerton	_____	_____
	Page	_____	_____
	Reckhow	_____	_____

Durham County, North Carolina

2009-2010 Budget Ordinance

Amendment Number 10BCC000083

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2009-2010 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Taxes	\$239,638,950	\$246,000	\$239,884,950

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
General Government	\$67,828,482	\$246,000	\$68,074,482

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved May 24, 2010



7h

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 10BCC000084 Library Grant Award to Library from Reading Is Fundamental, Inc. in the amount of \$16,311.

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

The Board is requested to accept a \$16,311 grant award to the Library from Reading is Fundamental, Inc. to enhance the library's literacy services. This grant will be used to fund books, programs, and supplies for literacy outreach throughout Durham County.

RESOURCE PERSON(S): Skip Auld, Library Director, and Karlene Fyffe, Youth Services Administrator.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No.10BCC000084 to accept the \$16,311 grant from Reading Is Fundamental for the library's literacy services.

County Manager: _____

Richard M. Reppin

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2009-2010 Budget Ordinance

Amendment Number 10BCC000084

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2009-2010 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Contributions & Donations	\$1,176,485	\$16,311	\$1,192,796

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Cultural and Recreation	\$10,612,895	\$16,311	\$10,629,206

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved May 24, 2010

7i



**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Contract for Elevator Services for Durham County in the Amount of \$72,218.52.

DATE OF BOCC MEETING: Monday, May 24, 2010

REQUEST FOR BOARD ACTION:

The Board is requested to authorize the County Manager to enter into a service contract in the amount of \$72,218.52 with Southern Elevator Company, Inc. to provide elevator services to Durham County. This dollar amount accounts for a combination of Full Service and Exam & Lubrication Maintenance Service for twenty-seven (27) elevators located in thirteen (13) Durham County Buildings.

Durham County issued a Request for Proposal (RFP 10-020) that was mailed to interested vendors, advertised in local newspapers, and published on the Durham County's website. Three (3) responses were received on April 20, 2010. An evaluation review team has determined that Southern Elevator Company, Inc. has demonstrated they have the experience, training and ability to provide this service needed for Durham County.

BACKGROUND: For the period of July 1, 2009 and ending June 30, 2010, Elevator Services expenditures were \$68,957.00. This dollar amount accounted for a combination of Full Service and Exam & Lubrication Maintenance Service.

Previous to 2009/2010 service contracts covered only Full Service Maintenance, which cost the County more for elevators which did not require this extent or cost of service. A thorough evaluation of each elevator was completed, taking into consideration the elevator's age, service records and usage. This approach coupled with the vendor discount (from Southern Elevator) realized a savings of \$5,764.00 in FY 2009/2010 over 2008/2009.

The 2010/2011 Elevator Services RFP again took into consideration elevator service records and usage from the previous year and determined the best combination of service.

Durham County established the following goals for the expenditure of funds with M/WBEs:

Ethnicity/Race/Gender Industry	African American	Asian American	Hispanic American	Native American	Women-Owned
Other Professional Services	7.20%	N/A	N/A	N/A	3.55%

In review of the M/WBE participation, there were no participation goals achieved on this project. Southern Elevator Company, Inc. will be utilizing their own workforce to perform the particular type service on this project, and they have provided a responsive bid.

RESOURCE PERSON(S): Carol Louis, General Services Quality Control/Contract Compliance Officer; Motiryo Keambiroiro, General Services Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board authorize the County Manager to enter into a service contract with Southern Elevator Company, Inc. in an amount not to exceed \$72,218.52.

County Manager *Richard M. Reppin*

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



County of Durham
(RFP NO. 10020)
Elevator Services for Durham County
April 20, 2010

QUALIFICATIONS AND SUBMISSION REQUIREMENTS

1. Letter of transmittal, identifying proposed Service Manager (person directly responsible for Service Technicians and contract):

Augusto "Gus" Barrezueta
Regional Manager
Tele: 1-800-373-0058
Fax: 1-336-333-9928
Cell: 1-336-462-2330
E-mail: gusb@southernelevator.com

2. Statement substantiating the Contractor's understanding of service objectives:

Southern Elevator Company, Inc. feels confident in its understanding of the County of Durham's service objectives and needs. We currently provide maintenance service for the County of Durham and have done so in an attentive and professional manner during this contract period while abiding by the bid requirements. We believe that this experience would allow us to effectively provide the elevator service expected by the County of Durham.

3. Explanation of your approach to or general methods used to provide this service:

Southern Elevator Company, Inc. performs an assessment of the location and equipment to be serviced and establishes the requirements necessary for our field technicians. The procedures to be performed are engineered to extend the life of the equipment, provide consistent trouble free operation and create a code compliant safe experience for the riding public. Southern Elevator Company, Inc. complies with the maintenance requirements as prescribed by the current North Carolina elevator code which reads as follows:

8.6.1.6 General Maintenance Methods and Procedures

8.6.1.6.1 Making Safety Devices Inoperative or Ineffective. No person shall at any time make inoperative or ineffective any device on which safety of users is dependent, including any electrical protective device, except where necessary during tests, inspections (see 8.10 and 8.11), maintenance, repair, and replacement, provided that the installation is first removed from normal operation.

Such devices shall be restored to their normal operating condition in conformity with the applicable requirements prior to returning the equipment to service (see 2.26.7 and 8.6.1.6).

8.6.1.6.2 Lubrication. All parts of the machinery and equipment requiring lubrication shall be lubricated with lubricants equivalent to the type and grade recommended by the manufacturer.

Alternative lubricants shall be permitted when intended lubrication effects are achieved.

All excess lubricant shall be cleaned from the equipment. Containers used to catch leakage shall not be allowed to overflow.

8.6.1.6.3 Controllers, Wiring, and Wiring Diagrams

(a) Up-to-date wiring diagrams detailing circuits of all electrical protective devices (see 2.26.2) and critical operating circuits (see 2.26.3) shall be available in the machinery space, machine room, control space, or control room as appropriate to the installation.

(b) The interiors of controllers and their components shall be cleaned when necessary to minimize the accumulation of foreign matter that can interfere with the operation of the equipment.

(c) Temporary wiring and insulators or blocks in the armatures or poles of magnetically operated switches, contactors, or relays on equipment in service are prohibited.

(d) When jumpers are used during maintenance, repairs, or testing, all jumpers shall be removed and the equipment tested prior to returning it to service. Jumpers shall not be stored in machine rooms, control rooms, hoistways, machinery spaces, control spaces, escalator/moving walk wellways, or pits (see also 8.6.1.6.1).

NOTE [8.6.1.6.3(d)]: See Elevator Industry Field Employees Safety Handbook for jumper control procedures.

(e) Control and operating circuits and devices shall be maintained in compliance with applicable Code requirements (see 8.6.1.1.2).

8.6.1.6.4 Painting. Care shall be used in the painting of the equipment to make certain that it does not interfere with the proper functioning of any component. Painted components shall be tested for proper operation upon completion of painting.

8.6.1.6.5 Fire Extinguishers. In jurisdictions not enforcing NBCC, Class ABC fire extinguishers shall be provided in elevator electrical machine rooms, control rooms, and control spaces outside the hoistway intended for full bodily entry, and walk-in machinery and control rooms for escalators and moving walks; and they shall be located convenient to the access door.

8.6.1.6.6 Workmanship. Care should be taken during operations such as torquing, drilling, cutting, and welding to ensure that no component of the assembly is damaged or weakened. Rotating parts shall be properly aligned.

8.6.1.6.7 Signs and Data Plates. Required signs and data plates that are damaged or missing shall be repaired or replaced.

8.6.1.7 Periodic Tests. The frequency of periodic tests shall be established by the authority having jurisdiction as required by 8.11.1.3.

NOTE: Recommended intervals for periodic tests can be found in Nonmandatory Appendix N.

8.6.1.7.1 Periodic tests shall be witnessed by an inspector employed by the authority having jurisdiction or by a person authorized by the authority having jurisdiction. The inspector shall conform to the requirements in 8.11.1.1.

8.6.1.7.2 A test tag with the test date, the requirement number requiring the test, and the name of the person or firm performing the test shall be installed in the machine room for all Category 1 and 5 tests for electric elevators and Category 1, 3, and 5 tests for hydraulic elevators.

8.6.1.7.3 No person shall at any time make any required safety device or electrical protective device ineffective, except where necessary during tests. Such devices shall be restored to their normal operating condition in conformity with the applicable requirements prior to returning the equipment to service (see 2.26.7).

4. Contractor's background and history:

a. Brief History of the company:

Southern Elevator Co., Inc. is a North Carolina based Corporation established in 1949. It has been engaged in the business of installing and maintaining elevators ever since that date. Presently the company has over 1800 elevators under maintenance contract and additionally a very large number of elevators on a "repair as required" coverage.

The company's staff of technicians presently exceeds 60. Our technical staff is fully certified by the NATIONAL ELEVATOR INDUSTRY EDUCATION PROGRAM (NEIEP). Our staff is fully qualified to maintain all types of elevator equipment. The management staff which supervises the field technicians also has the same qualifications, which allows Southern Elevator Company to provide a higher level of customer service.

The company is headquartered in Greensboro, NC with a Regional Service Office in Columbia, SC. The company has branch operations in Greenville, Raleigh, Durham, Winston-Salem, Asheville, North Carolina; Roanoke, Virginia; Columbia, Myrtle Beach, and Charleston, South Carolina.

The company has full service offices in Columbia SC, Greensboro NC, Greenville NC, Charlotte NC and Roanoke VA. Southern Elevator Co., Inc. is a Full Service elevator contractor operating in six (6) states of North Carolina, South Carolina, Georgia, Virginia, West Virginia, and Tennessee. The Company is fully staffed with Technical Experts, Operation Managers and Administrative personnel to deliver the highest quality of elevator services. Our accounting group includes a staff Certified Public Accountant. The Company is incorporated in the state of North Carolina.

We successfully maintain all types of elevator equipment for the following:

- US General Services Administration
- US Postal Service
- V. A. Medical Centers
- Federal Aviation Administration
- Department of Defense
- U. S. Coast Guard
- U. S. Air Force
- U. S. Army
- North Carolina Department of Administration
- County Governments
- State Governments
- Private and Public Universities and Colleges
- Commercial Office Buildings
- Chemical Manufacturing
- Textile Plants
- Public Sporting Centers
- Airports
- Theaters
- Department Store Malls
- Power Plants, Nuclear and Coal Fired
- Hospitals
- Hotels

Office Toll Free Numbers:	Greenville	1(800) 926-6204
	Greensboro	1(800) 373-0058
	Charlotte	1(800) 373-0067
	Columbia, SC	1(877) 939-7030
	Roanoke, VA	1(866) 836-5123

b. Submit verification of qualifications of Technicians servicing this contract:

Southern Elevator Company, Inc. will only employ technicians that are certified by NEIEP program, that meet our high professional standards and have in excess of (5) years job site training. All employees must adhere to our Company-Wide Safety Policy, practice safe work habits at all times and work within the requirements of the OSHA standards. Our employees are certified in continuing education on an annual basis.

Greensboro Office Field Technicians – 11 total including additional personnel not previously submitted, that are available to support this contract as required.

Erick Aydelette:

30 Years experience service, repair, modernization and construction experience.
Employed by Southern Elevator 30 years. NEIEP certified.

Drew Doyle:

30 Years experience service, repair, modernization, and installation.
Employed by Southern Elevator 4 years. NEIEP certified.

Matthew Hrubes:

25 Years experience service, repair, installation, and modernization.
Employed by Southern Elevator 3 years. NEIEP certified.

Mike Garvey:

30 Years experience service, repair and modernization.
Employed by Southern Elevator 13 years. NEIEP certified.

Chris Masterson:

21 Years experience service, repair and modernization.
Employed by Southern Elevator 8 years. NEIEP certified.

David Blackley:

14 Years experience service, repair, new construction and modernization.
Employed by Southern Elevator 7 years. NEIEP certified.

David Latta:

38 Years experience service, repair, new construction and modernization.
Employed by Southern Elevator 28 years. NEIEP certified.

Kent Freeman:

10 Years experience service, repair, new construction and modernization.
Employed by Southern Elevator 10 years. NEIEP certified.

Eric Honaker:

12 Years experience service, repair, new construction and modernization.
Employed by Southern Elevator 6 years. NEIEP certified.

Randy Poe:

12 Years experience in service, repair, and modernization.
Employed by Southern Elevator 5 years. NEIEP Apprentice Program.

Tim Vernia:

2 Years experience in new construction, modernization, and repair.
Employed by Southern Elevator 2 years. NEIEP Apprentice Program.

Greensboro Administration – Listing of additional staff that is available for account support

Tony Tovsen: Vice President of Operations, QEI Certified

35 Years experience in all areas of service, repair, modernization, installation, sales, and operations management. Includes start-up of new, growth of existing, and restructure of existing operations.

Gus Barrezueta: Regional Manager, QEI certified

23 Years elevator experience in all areas of service, repair, modernization, scheduling, field supervision, project management, estimating, sales and purchasing. 4 years with Southern Elevator.

Will Montgomery: Field Operations Coordinator

12 Years elevator experience in all areas of service, repair, modernization, scheduling, field supervision, project management, estimating, sales and purchasing. 3 years with Southern Elevator.

Chris Short: Business Development

5 years experience in all areas of service, repair, modernization, installation, sales, and operations management. Chris joined Southern Elevator in 2008.

5. A listing of similar work performed by your Company over the last 5 years:

*	Duke University Medical Ctr. Engineering and Operations Duke University Medical Center PO Box 3901 Durham, NC 27710	Dwayne Clark (919) 681-6005	130 - Units
*	Duke University 114 S. Buchanan Blvd. Durham, NC 27708	Mike Lane (919) 660-1422	140 - Units
*	City of Durham 101 City Hall Plaza Durham, NC 27701	Lisa Smith (919) 560-4197 x-273	30 - Units
*	County of Durham 310 S. Dillard St. Durham, NC 27701	Carol Louis (919) 560-0467	27 - Units

*	Duke Energy 3195 Pine Hall Road Belews Creek, NC 27009	James Billy Reid (336) 445-0757	10 - Units
*	SECU 119 N. Salisbury St. Raleigh, NC 27611	Patty Munns (919) 856-3382	8 - Units
*	Greensboro Housing Authority 450 North Church Street Greensboro, NC 27420	John Staton (336) 275-8501	5 - Units
*	Lexcom Telephone Co. 200 N. State St. Lexington, NC 27293	Richard Reese (336) 249-5765	2 - Units
*	Performance Fibers 339 Pea Ridge Road Moncure, NC 27559	Tim Herter (919) 545-3168	3 - Units
*	Simba Group, Inc. 4100 N. Roxboro Rd. Durham, NC 27704	Sheila Blackwood (919) 620-7685	4 - Units
*	Volvo Trucks, North America 7900/7825 National Service Rd Greensboro, NC 27409	Jon Anderson (336) 393-2627	4 - Units

6. Complete Reference Form:

Attachment E previously submitted

7. Proposed M/WBE utilization with an explanation of their involvement in the work:

Affidavit B previously submitted

8. Describe previous litigation or arbitration in which your company has been involved during the past five (5) years:

Southern Elevator Company, Inc. has not been involved in any litigation or arbitration in the past five years.

9. Describe any involvement that your company, its employees, or its owner(s) have that may constitute a conflict of interest:

Southern Elevator Company, Inc., our employees or owner has no involvement with the County of Durham that would constitute a conflict of interest as stated in Attachment F.

10. Provide a statement acknowledging your company's understanding of Durham County's Living Wage Policy (Refer to Attachment K).

As a member of IUEC Local 80, Southern Elevator Company, Inc. is bound by its contractual agreement to pay our technicians union scale which exceeds Durham County's Living Wage requirements.

OTHER FACTORS

DIAGNOSTIC CAPABILITIES AND EQUIPMENT

Diagnostic Tools

We utilize a laptop computer or hand held palm pad with software programs to diagnose, test, adjust, troubleshoot, and restore values on Dover, Schindler, US, Northern, Westinghouse, Montgomery/KONE, ThyssenKrupp, and Otis elevators.

We are capable of copying and duplicating software.

We are the primary installer of Motion Control Engineering (M.C.E.) and Virginia Controls equipment in South Carolina.

We also maintain a large inventory of replacement parts for various types of elevator equipment within the County of Durham. The majority of our replacement parts are currently located at Duke University and Duke Hospital where we have field offices. Replacement parts are kept at the County of Durham jobsites that require routine or emergency replacement of these parts. We utilize local machine shops and motor repair shops to minimize elevator down time during any major repairs.

Technical Information

We maintain a current library of operating manuals, adjusting specifications, parts manuals, vendor source data and wiring diagrams for all types of elevator equipment including dumbwaiters and lifts.

The Company maintains membership with the NATIONAL ASSOCIATION OF ELEVATOR CONTRACTORS to stay abreast to the latest technology that is available in our industry.

RECORDS, DOCUMENTATION, AND DISPATCHING

We maintain computerized records (in Greensboro, NC) of all callbacks and maintenance. Records are available upon request and/or on a regular basis. Each elevator equipment room

contains a posted log of service and repair information. All service calls will be called into (1-800-373-0058) and dispatched from our Greensboro, NC office.

On site Technicians are instructed to contact their supervisor when the implementation of the \$500.00 Contractor liability limitation applies and the appropriate steps shall be taken to notify onsite contact personnel.

Response Time

We have a reputation of fast response times to emergency and trouble calls. Our elevator technicians are only assigned 80 to 100 units for maintenance while our competitors are assigning each of their technicians 150 to 250 elevators.

On Emergency calls our response is 1 hour.

On Regular trouble calls our response is within 2 to 4 hours.

ATTACHMENT C

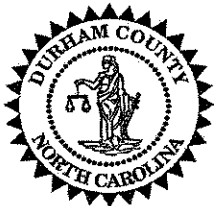
**Durham County
2010/2011 Elevator Service
Proposal Form**

#	<u>Building Name</u>	<u>Address</u>	<u>Monthly Service Cost</u>	
			<u>Full W/O Service incl. Testing</u>	<u>Exam & Tune Service incl. Testing</u>
1	Administration Bldg.	200 E. Main St.	521.73	333.63
2	Agricultural Bldg.	721 Foster St.	162.36	103.95
3	Center for Senior Life	406 Rigsbee Ave.	193.05	103.95
4	DSS-Carmichael	300 N. Duke St.	413.82	264.33
5	DSS-Main	220 E. Main St.	519.75	333.63
6	Detention Center	217 Mangum St.	1656.27	1059.93
7	Jail Annex	326 E. Main St.	161.37	103.95
8	Judicial Building	201 E. Main St.	1124.64	719.73
9	Judicial Annex	201 N. Roxboro St.	161.37	103.95
10	Main Library	300 N. Roxboro St.	521.73	333.63
11	General Services	310 S. Dillard St.	161.37	103.95
12	Stanford Warren Library	1201 Fayetteville St.	136.62	103.95
13	Health Dept	414 E. Main St.	521.73	333.63
			6255.81	4002.21

This bid is requesting two (2) price formats. The County reserves the right to determine which service plan or combination of plans will be accepted.

Company Name: Southern Elevator Company, Inc. **Date:** April 20, 2010

7j



COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Vehicle and Equipment Replacement Financing

DATE OF BOCC MEETING: May 24, 2010

FOR REQUEST BOARD ACTION:

On April 23, 2010 Durham County issued RFP No. 10-028 for the Financing of Vehicles, Equipment, Computers and Telecommunications System Upgrades. The County received seven bids for the financing of these items. The Bids ranged from a high of 2.99 % to a low of 1.42 %. The low bid was submitted by Wells Fargo Bank, N. A. (Wachovia). The financing will be in the amount of \$5,711,640, for thirty-six months with quarterly payments beginning in FY2011. The financing will be collateralized by the items being purchased. The transaction will need to close before June 30, 2010.

RESOURCE PERSON(S): George K. Quick, Finance Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the BOCC approve the financing with Wells Fargo Bank, N. A. and authorize the Manager to execute the appropriate documents to close the transaction.

County Manager: _____

Richard M. Reppin

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



7k

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Emergency Medical Services Station #2 – Private Storm Easement

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

The Board is requested to approve an Easement dedication on the Emergency Medical Services Station #2 property. The attached Plat shows (0.009 acres) a 20' private storm drain easement along the east side of Old Fayetteville St. to be dedicated to allow storm pipe connectivity for the renovation and expansion of the adjacent Davita Dialysis Clinic (See Attachment 1). The 20' private storm drain easement area will be maintained by the adjacent property owner, Doctors Fleming, Harrell and Moore, a partnership. An easement agreement will be recorded along with the attached Plat (See Attachment 2).

This easement dedication is required as a condition of site plan approval for the Expansion and Renovation of the Davita Dialysis Clinic located at 601 Fayetteville Street.

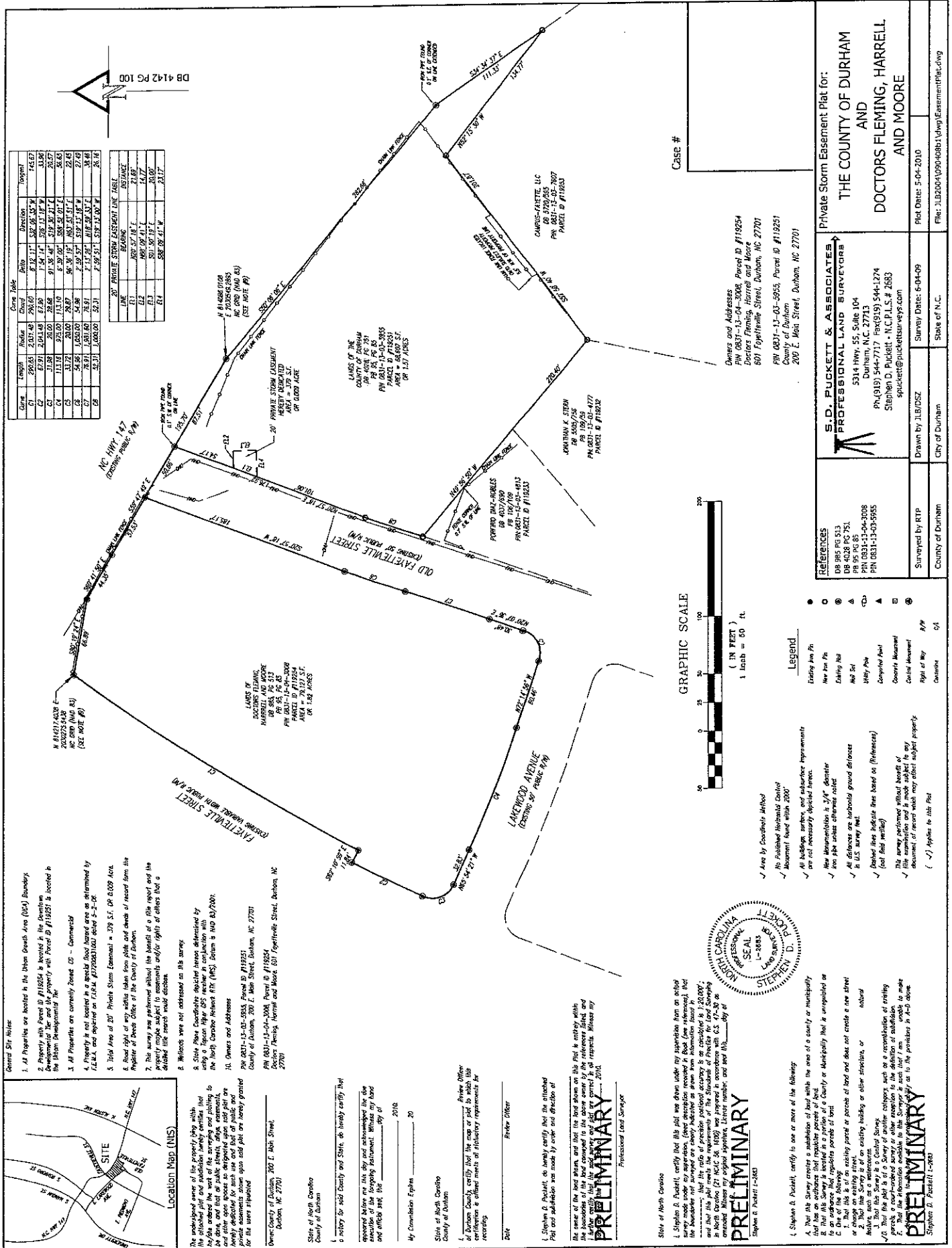
RESOURCE PERSON(S): Glen Whisler, P.E., County Engineer and Carol Hammett, Assistant County Attorney

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board approve the dedication of a 20' private storm drain easement and agreement for the benefit of Doctors Fleming, Harrell and Moore, and authorize the Manager to execute the easement agreement and Plat.

County Manager: *William M. Reppin*

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

"ATTACHMENT 1"



"ATTACHMENT 2"

Prepared by and return to County Attorney's Office (CH) 200 E. Main St. Durham, NC 27701

NORTH CAROLINA

DRAINAGE EASEMENT

COUNTY OF DURHAM

KNOW ALL MEN BY THESE PRESENTS, that the County of Durham, a political subdivision of the State of North Carolina (hereinafter collectively referred to as the "Grantor"), in consideration of Five Hundred Dollars (\$500.00) and other good and valuable consideration received to its full satisfaction of the Doctors, Fleming, Harrell and Moore, a partnership (the "Grantee"), does hereby grant unto the said Grantee, its successors and assigns, a perpetual non-exclusive Drainage Easement upon all that certain piece or parcel of land more specifically described on Schedule 1, attached hereto and incorporated herein (the "Easement Area").

This Drainage Easement is conveyed for the purpose of connecting to the present storm drainage, lines, or other drainage structures and facilities for the collection of storm waters. The Grantor hereby grants the Grantee the following non-exclusive rights, privileges and interests in and to the area defined as the Drainage Easement:

1. The Grantee and its agents shall have use of said easement for the limited purpose of connecting to the present storm drainage, lines, or other drainage structures and facilities for the collection of storm waters, and shall have all rights and privileges reasonably necessary to the exercise all of the rights granted in this Easement including the right of access to and from the easement for the purpose of inspecting, maintaining, repairing and replacing the drainage facilities, appurtenances and surrounding areas.
2. Grantee shall be responsible for the maintenance of the Easement Area. All activities conducted on the Easement Area by Grantee shall be conducted in compliance with all laws, ordinances, rules, and regulations including, without limitation, environmental, land use, and public utility laws, rules and regulations.
3. All current drainage lines and appurtenant facilities, which are installed in the easement area as of the date of this Drainage Easement, shall be and remain the property of the County, its successors and assigns.
4. Grantee shall not permit or suffer to exist any mechanics or materialman's lien of any kind or nature against the Easement Area or other lands owned by Grantor for any work done or materials furnished at the instance, request, or on behalf of Grantee. Grantee shall indemnify and hold harmless Grantor against any and all liens, claims, demands, costs, and expenses of any nature connected with or arising out of such work done or materials furnished.

5. Grantee assumes the risk and shall indemnify and hold harmless Grantor against any and all demands, claims, causes of action, fines, penalties, damages, losses, liabilities, judgments, and expenses for bodily injury, death, any other personal injury, damage to real or personal property (including, without limitation, attorneys' fees and court costs) incurred in connection with or arising from the use of the Easement Area by Grantee (except for loss of use of all or any portion of the Easement Area which is caused by or results from the negligence or willful misconduct of Grantor).
6. The rights granted herein are nonexclusive and shall not be construed to interfere with or restrict the Grantor's paramount right to use the Easement Area for any and all public purposes, to fully use and enjoy the property, or construct and maintain property improvements in, over, under, across and through Easement Area, so long as such use and enjoyment does not unduly interfere with the use of the Easement for the purposes granted to Grantee.
7. This easement shall be perpetual and shall run with the land.

TO HAVE AND TO HOLD the above-granted and bargained premises, with the appurtenances thereof, unto it, the Grantee and unto its successors and assigns, forever, to its and their proper use.

The Grantor, for itself, its successors and assigns, represents and covenants that it is well seised of the Property containing the easement as a good and indefeasible estate in fee simple, and it has good right to grant this non-exclusive Drainage Easement in the manner and form as is above written, and that the same is free and clear from all encumbrances whatsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto executed this Drainage Easement and set its hand and seal hereto this ____ day of May, 2010.

Grantor: County of Durham

Attest:

V. Michelle Parker-Evans, Clerk to the Board

Michael M. Ruffin, County Manager

(SEAL)

Attest:

Grantee: Doctors, Fleming, Harrell and Moore,
a partnership

By: _____

Notary for Grantor:
 STATE OF NORTH CAROLINA
 COUNTY OF DURHAM

I, a Notary Public for _____ County, certify that V. Michelle Parker-Evans personally came before me this day and acknowledged that she is Clerk to the Board of the County of Durham, and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its County Manager, sealed with its seal, and attested by herself as its Clerk to the Board.

Witness my hand and official seal, this the _____ day of _____, 2010.

(SEAL)

 Notary Public
 My commission expires: _____

Notary for Grantee:
 STATE OF NORTH CAROLINA
 COUNTY OF DURHAM

I, a Notary Public in and for the aforesaid County and State, do hereby certify that _____ personally appeared before me this day and acknowledged that he is _____ of Doctors, Fleming, Harrell and Moore, a partnership, and that by authority duly given, the foregoing instrument was signed in its name by its _____, and attested by as its _____.

Witness my hand and notarial seal this ____ day of _____, 2010.

(SEAL)

 Notary Public
 My commission expires: _____

**SCHEDULE 1
DRAINAGE EASEMENT AREA**

ATTACHMENT 2, PAGE 4 OF 4

20' PRIVATE STORM EASEMENT

Durham Case NO. SC10-

S.D. Puckett and Associates, INC.

5314 N.C. Highway 55, Suite 104

Durham, N.C. 27713

Phone: (919) 544-7717, Fax: (919) 544-1274

ALL THAT CERTAIN tract or Parcel of Land Situate in the City of Durham, in the County of Durham and in the State of North Carolina, being more particularly described as follows:

Beginning at a point in the southeasterly right of way line of Old Fayetteville Road, an existing 50 foot public right of way said point being S20°57'18"W, 54.17 feet from where the southwesterly right of way of North Carolina Highway 147, an existing variable width right of way is intersected by the aforesaid southeasterly right of way line of Old Fayetteville Road, and said point being near an iron pipe found near said intersection as shown on a certain private storm easement plat entitled "Private Storm Easement Plat for The County of Durham and Doctors Fleming, Harrell and Moore " prepared by S.D. Puckett & Associates with a survey date of June 06, 2009 and filed in the Durham County Register of Deeds Office in Plat Book _____, Page _____, and from said beginning point runs; thence, leaving said right of way of Old Fayetteville Street and running through the lands of The County of Durham, as described in Deed Book 4028, Page 751 of the Durham County Registry and being the grantor herein, the following three (3) courses, (1) N88°09'41"E, 14.77 feet to a point; thence, (2) S01°50'19"E, 20.00 feet to a point; thence, (3) S88°09'41"W, 23.17 feet to a point in the aforementioned southeasterly right of way line of Old Fayetteville Street; thence, along said right of way of Old Fayetteville Street, N20°57'18"E, 21.69 feet to the Point and Place of Beginning.

SAID ABOVE DESCRIBED tract or parcel of land containing within said bounds 379 S.F. or 0.009 Acres of land.



8

COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Durham Public Schools – Six State Lottery Funds Applications for Durham Public Schools Capital Projects

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

The North Carolina Education Lottery provides funds for Durham Public Schools based on lottery revenue. The Board of Education has approved six (6) applications for high priority projects at existing facilities totaling \$1,252,000.

Location	Project	Estimated Value
Hillside High School	Asphalt Repairs	\$188,000
Fayetteville Street Elementary	Gym Roof Replacement	\$145,000
Southern High School	Asphalt Repairs	\$148,000
Durham School of the Arts	Track Resurfacing	\$325,000
Jordan High School	Asphalt Repairs	\$207,000
Riverside High School	HVAC Controls Upgrade	\$239,000
	Totals	\$1,252,000

The Durham County Board of County Commissioners is requested to approve these applications for appropriation of Lottery funds to the projects listed above, and to allow the Chairman of the Board of County Commissioners, Michael D. Page, to sign the six applications on behalf of the Board of County Commissioners.

RESOURCE PERSON(S): Tim Carr, Program Director for Durham Public Schools

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve six applications for use of Lottery funds by the Durham Public Schools Board of Education for various Durham Public School capital projects, and the signing of these applications by the Chairman of the Board of County Commissioners, Michael D. Page, on behalf of the Board of County Commissioners. Once the funds are approved by the State for these projects, Durham Public Schools will ask the Board of County Commissioners to appropriate the funds to the capital projects.

County Manager: _____

Michael D. Page

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Durham

Contact Person: Hugh Osteen

LEA: Durham Public Schools

Title: Asst. Superintendent of Operational Svcs.

Address: 2011 Hamlin Rd., Durham, NC 27704

Phone: 919-560-3831

Project Title: Southern High School - Asphalt Upgrades

Location: 800 Clayton Rd. Durham, NC 27703

Type of Facility: High School

North Carolina General Statutes, Chapter 18C, provides that a portion of the the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No County shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Repairs and overlay to the bus lot and related areas.

Estimated Costs:

Purchase of Land _____	_____
Planning and Design Services _____	\$ <u>16,000.00</u>
New Constuction _____	_____
Additions / Renovations _____	\$ <u>132,000.00</u>
Repair _____	_____
Debt Payment / Bond Payment _____	_____
TOTAL _____	\$ <u>148,000.00</u>

Estimated Project Beginning Date: March, 2010

Est. Project Completion Date: August, 2010

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The Durham County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$148,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature Chair, County Commissioners)

(Date)

(Signature Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Durham

Contact Person: Hugh Osteen

LEA: Durham Public Schools

Title: Asst. Superintendent of Operational Svcs.

Address: 2011 Hamlin Rd., Durham, NC 27704

Phone: 919-560-3831

Project Title: Durham School of the Arts - Track Resurfacing

Location: 400 N. Duke St., Durham, NC 27707

Type of Facility: Secondary School

North Carolina General Statutes, Chapter 18C, provides that a portion of the the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

3. No County shall have to provide matching funds...
4. A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.
5. A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Repairs and overlay to track surface.

Estimated Costs:

Purchase of Land	_____	_____
Planning and Design Services	_____	\$ 55,000.00
New Constuction	_____	_____
Additions / Renovations	_____	\$ 270,000.00
Repair	_____	_____
Debt Payment / Bond Payment	_____	_____
TOTAL	_____	\$ 325,000.00

Estimated Project Beginning Date: March, 2010

Est. Project Completion Date: August, 2010

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The Durham County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$325,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature _ Chair, County Commissioners)

(Date)

(Signature _ Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Durham

Contact Person: Hugh Osteen

LEA: Durham Public Schools

Title: Asst. Superintendent of Operational Svcs.

Address: 2011 Hamlin Rd., Durham, NC 27704

Phone: 919-560-3831

Project Title: Fayetteville Street Elementary School - Gym Roof and related upgrades

Location: 2905 Fayetteville St., Durham, NC 27707

Type of Facility: Elementary

North Carolina General Statutes, Chapter 18C, provides that a portion of the the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No County shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Replacing gymnasium roof and related upgrades.

Estimated Costs:

Purchase of Land	_____	_____
Planning and Design Services	_____	\$ 21,000.00
New Constuction	_____	_____
Additions / Renovations	_____	\$ 124,000.00
Repair	_____	_____
Debt Payment / Bond Payment	_____	_____
TOTAL	_____	\$ 145,000.00

Estimated Project Beginning Date: March, 2010 Est. Project Completion Date: August, 2010

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The Durham County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$145,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature Chair, County Commissioners)

(Date)

(Signature Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Durham

Contact Person: Hugh Osteen

LEA: Durham Public Schools

Title: Asst. Superintendent of Operational Svcs.

Address: 2011 Hamlin Rd., Durham, NC 27704

Phone: 919-560-3831

Project Title: Hillside High School - Asphalt Upgrades

Location: 3727 Fayetteville St., Durham, NC 27707

Type of Facility: High School

North Carolina General Statutes, Chapter 18C, provides that a portion of the the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

3. No County shall have to provide matching funds...
4. A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.
5. A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Repairs and overlay to parking, drop off and bus drives and lots.

Estimated Costs:

Purchase of Land	_____	_____
Planning and Design Services	_____	\$ 28,000.00
New Constuction	_____	_____
Additions / Renovations	_____	\$ 160,000.00
Repair	_____	_____
Debt Payment / Bond Payment	_____	_____
TOTAL	_____	\$ 188,000.00

Estimated Project Beginning Date: March, 2010

Est. Project Completion Date: August, 2010

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The Durham County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$188,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature __ Chair, County Commissioners)

(Date)

(Signature __ Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Durham

Contact Person: Hugh Osteen

LEA: Durham Public Schools

Title: Asst. Superintendent of Operational Svcs.

Address: 2011 Hamlin Rd., Durham, NC 27704

Phone: 919-560-3831

Project Title: Jordan High School - Asphalt Upgrades

Location: 6806 Garrett Rd., Durham, NC 27707

Type of Facility: High School

North Carolina General Statutes, Chapter 18C, provides that a portion of the the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No County shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Asphalt upgrades to parking lot and related repairs.

Estimated Costs:

Purchase of Land	_____	_____
Planning and Design Services	_____	\$ 28,000.00
New Constuction	_____	_____
Additions / Renovations	_____	\$ 179,000.00
Repair	_____	_____
Debt Payment / Bond Payment	_____	_____
TOTAL	_____	\$ 207,000.00

Estimated Project Beginning Date: March, 2010 Est. Project Completion Date: August, 2010

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The Durham County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$207,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature Chair, County Commissioners)

(Date)

(Signature Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Durham

Contact Person: Hugh Osteen

LEA: Durham Public Schools

Title: Asst. Superintendent of Operational Svcs.

Address: 2011 Hamlin Rd., Durham, NC 27704

Phone: 919-560-3831

Project Title: Riverside High School - HVAC Controls Upgrade

Location: 3218 Rose of Sharon Rd., 27712

Type of Facility: High School

North Carolina General Statutes, Chapter 18C, provides that a portion of the the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No County shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects incurred on or after January 1, 2003.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities.

Short description of Construction Project: Upgrading HVAC controls and related repairs.

Estimated Costs:

Purchase of Land	_____
Planning and Design Services	\$ 36,000.00
New Constuction	_____
Additions / Renovations	\$ 203,000.00
Repair	_____
Debt Payment / Bond Payment	_____
TOTAL	\$ 239,000.00

Estimated Project Beginning Date: March, 2010 Est. Project Completion Date: August, 2010

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The Durham County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$239,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature Chair, County Commissioners)

(Date)

(Signature Chair, Board of Education)

(Date)



9

COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Board and Commission Appointments

DATE OF BOCC MEETING: May 24, 2010

REQUEST FOR BOARD ACTION:

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- City-County Appearance Commission
- Criminal Justice Partnership Act Advisory Board
- Durham County Hospital Corporation
- Memorial Stadium Authority
- Nursing Home Community Advisory Committee
- Workforce Development Board

RESOURCE PERSON(S): Michelle Parker-Evans, Clerk to the Board

COUNTY MANAGER'S RECOMMENDATION:

The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

County Manager: *Richard M. Reppin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____